REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 14-17 are pending in the present application, Claims 14-17 having been amended. Support for the amendments to Claims 14-17 is found, for example, in Figs. 30-33. Applicants respectfully submit that no new matter is added.

In the outstanding Office Action, Claim 14 was rejected under 35 U.S.C. §101 as directed toward nonstatutory subject matter; Claims 14-17 were rejected under 35 U.S.C. §103(a) as unpatentable over Saeki et al. (U.S. Patent No. 6,263,155, hereinafter Saeki) in view of Gotoh et al. (U.S. Patent No. 6,292,625, hereinafter Gotoh); Claims 14-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 14-17 of copending Application Serial No. 10/801,699 in view of Saeki; Claims 14-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 14-17 of copending Application Serial No. 10/801,678 in view of Saeki; Claims 14-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 14-17 of copending Application Serial No. 10/801,700 in view of Saeki; Claims 14-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 14-17 of copending Application Serial No. 10/801,701 in view of Saeki; Claims 14-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 14-17 of copending Application Serial No. 10/801,862 in view of Saeki; Claims 14-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 14-17 of copending Application Serial No. 10/801,863 in view of Saeki; Claims 14-17 were

provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 14-17 of copending Application Serial No. 10/801,835 in view of Saeki; Claims 14-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 14-17 of copending Application Serial No. 10/801,866 in view of Saeki; and Claims 14-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over Claims 14-17 of copending Application Serial No. 10/801,865 in view of Saeki.

As for the rejection of Claim 14 under 35 U.S.C. §101, that rejection is respectfully traversed. Claim 14 amended to recite that the control information is provided to control recording, playing back, or editing the video object data by the information recording/reproducing apparatus, the video object data is accessed according to the control information. Accordingly, it is respectfully requested that this rejection be withdrawn.

MPEP § 2106 discusses statutory subject matter in relation to data structures of a computer readable medium. Particularly, MPEP § 2106 provides,

> **a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationships between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.**

Thus, based on the clear language of this section, Claim14 is statutory as it defines a functionality of which is realized based on the interrelationship of the structure to the medium and recited hardware components.

Further, should the Examiner disagree with the above passage, MPEP § 2106 also states that,

> Whenever practicable, Office personnel should indicate how rejections may be overcome and how problems may

> be resolved. A failure to follow this approach can lead to unnecessary delays in the prosecution of the application.

Applicants respectfully submit, as noted above, that the rejection under 35 U.S.C. § 101 should be withdrawn. However, if the rejection under U.S.C. § 101 is to be maintained, applicants respectfully request that the Examiner provide an explanation of the rejection in view of the guidelines of MPEP § 2106.

With respect to the rejections based on non-statutory double patenting, to expedite progress toward allowance, a Terminal Disclaimer is filed herewith. Thus, Applicant submits the outstanding rejections of the claims under nonstatutory double patenting have been overcome.

The filing of a Terminal Disclaimer to obviate a rejection based on nonstatutory double patenting is not an admission of the propriety of the rejection. The "filing of a Terminal Disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither a presumption nor estoppel on the merits of the rejection." Quad Environmental Technologies Corp. v. Union Sanitary District, 946 F.2d 870, 20 U.S.P.Q.2d 1392 (Fed. Cir. 1991). Accordingly, Applicants filing of the attached disclaimer is provided for facilitating a timely resolution to prosecution only, and should not be interpreted as an admission as to the merits of the obviated rejection.

In a non-limiting embodiment of the claimed invention, an information storage medium includes a data area and a control information recording area. The data area stores video object data. The control information recording area stores control information, which includes an AV file information table. The AV file information table includes AV file information configured to describe information on the video object data. The AV file information includes a plurality of object information. The object information includes time map information having time map general information, one or more time entries, and one or more video object entries. Fig. 33 of the present application exemplifies, for a non-limiting

embodiment of the claimed invention, the contents of the time entry. The time entry includes VOBU_ENTN indicating the number of the corresponding VOBU entry, TM_DIFF indicating the time difference between the playback time of a VOBU designated by the time entry and the computed playback time, and VOBU_ADR indicating the target VOBU address.[1]

Claim 14 is amended to more clearly describe and distinctly claim the subject matter regarded as the invention. Amended Claim 14 recites, *inter alia*, "each of the time entries includes numeral information on the corresponding video object unit entry of the video object data." The combination of Saeki and Gotoh do not disclose or suggest this element of amended Claim 14.

Saeki discloses that time maps 8211, 8212 each include a VOBU map number, a time difference (also referred to as TM_DIFF), and a VOBU address (also referred to as VOBU_ADR).[2] The VOBU map number corresponds to the time map time of the time map 8212.[3] Saeki does not disclose or suggest a time entry that includes numeral information on the corresponding video object unit entry of the video object data.

Gotoh does not cure the above-noted deficiency in Saeki. Gotoh does not disclose or suggest a time entry that includes numeral information on the corresponding video object unit entry of the video object data.

In view of the above-noted distinctions, Applicants respectfully submit that Claim 14 patentably distinguishes over Saeki and Gotoh, taken alone or in proper combination. Amended Claims 15-17 recites features similar to those recited in amended Claim 14. Thus, Applicants respectfully submit that Claims 15-17 patentably distinguish over Saeki and Gotoh, taken alone or in proper combination, for at least the reasons stated for Claim 14.

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[1] Specification, page 109, lines 1-8.
[2] Saeki, col. 10, lines 65-67.
[3] Saeki, col. 11, lines 1-3.

Accordingly, in view of the present amendment and the previous discussion, no further issues are believed to be outstanding and the present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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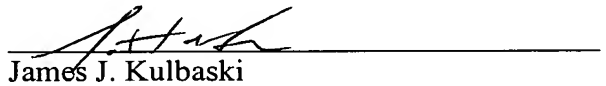

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